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13 And RASIER-CA, LLC

14 **UNITED STATES DISTRICT COURT**
15 **NORTHERN DISTRICT OF CALIFORNIA**
16 **SAN FRANCISCO DIVISION**

17
18 IN RE: UBER TECHNOLOGIES, INC.,
19 PASSENGER SEXUAL ASSAULT
LITIGATION

Case No. 3:23-md-03084-CRB

20 **DECLARATION OF CHRISTOPHER V.**
21 **COTTON IN SUPPORT OF DEFENDANTS'**
22 **OPPOSITION TO MOTION TO**
23 **WITHDRAW AS COUNSEL OF RECORD**

Judge: Honorable Charles R. Breyer

24 This Document Relates to:

25 *Jane Doe LS 333 v. Uber Technologies,*
26 *Inc., et al., No. 3:23-cv-05930-CRB*

27 *Jane Doe LS 397 v. Uber Technologies,*
28 *Inc., et al., No. 3:24-cv-05864-CRB*

DECLARATION OF CHRISTOPHER V. COTTON

I, Christopher V. Cotton, declare pursuant to 28 U.S.C. § 1746:

1. I am over the age of 18 and am a resident of Kansas City, Missouri. I respectfully submit this declaration in support of Defendants Uber Technologies, Inc.’s, Rasier, LLC’s, and Rasier-CA, LLC’s (collectively, “Defendants”) opposition to Levin Simes LLP’s motion to withdraw as counsel for Plaintiffs LS 333 and LS 397.

2. I am a partner at the law firm of Shook, Hardy & Bacon L.L.P., representing Defendants in this MDL as well as in Judicial Council Coordination Proceeding No. 5188, *In Re: Uber Rideshare Cases*, Case No. CJC-21-005188 (the “JCCP”). I am a member in good standing of the Bar of the State of Iowa, the Bar of the State of Missouri, and the Bar of the State of Wisconsin. I make this declaration based upon matters within my own personal knowledge. If called as a witness, I could and would competently testify to the matters set forth herein.

3. On September 9, 2025, this Court recognized that Plaintiffs LS 333 and LS 397 “submitted non-bona-fide receipts” and ordered them to produce native versions of their receipts including all available metadata, produce related documents within 14 days, and submit to depositions within 30 days. ECF 3876. The next day, on September 10, I contacted counsel for these Plaintiffs at the Levin Simes law firm by email to address the anticipated document productions and to coordinate scheduling of the depositions ordered by the Court. Levin Simes did not respond to my email, so I sent a follow-up email two days later, on September 12. Levin Simes responded that same day that “[w]e’re in trial right now, so this is not the easiest thing to coordinate at this moment” and asked for a three-week extension. I replied that the Court had set a reasonable timeline to resolve this issue and that Uber would not agree to an extension. True and correct copies of my communications with Levin Simes are attached to this declaration as **Exhibit A**.

4. On September 12, 2025, Levin Simes filed a motion to extend the deadlines ordered by the Court. ECF 3904. On September 22, 2025, this Court granted the requested extensions to October 14 (for the document production) and October 30 (for the depositions). ECF 3977.

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2 5. On September 24, 2025, I contacted Plaintiffs' counsel at the Levin Simes firm and
3 requested they provide Plaintiffs' availability for the ordered depositions. Levin Simes did not initially
4 respond to my emails, even though I sent two follow-up messages on September 26 and 29. Then, on
5 September 30, Levin Simes represented that it would "reach out to the clients and get back to [me]"
6 about scheduling depositions. After that, I did not hear from Levin Simes for two weeks, again despite
7 follow-up messages that I sent on October 6 and 13. On October 14, the deadline for LS 333 and LS
8 397 to make productions under this Court's September 22 order, Levin Simes emailed me that "[w]e
9 will be moving to withdraw as counsel from these two cases". True and correct copies of my further
10 communications with Levin Simes are attached to this declaration as **Exhibit B**. That same evening,
11 Levin Simes filed its motion to withdraw.

12 I declare under penalty of perjury under the laws of the State of Missouri that the foregoing is
13 true and correct.

14 Executed on October 16, 2025, in Kansas City, Missouri.

15 **SHOOK, HARDY & BACON L.L.P.**

16 /s/



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